

APPROVED: Meeting No. 41-87

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 31-87

June 22, 1987

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 22, 1987 at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: City Manager Richard Robinson, City Clerk Carol A. Kachadoorian, and City Attorney Paul Glasgow

Re: Invocation

The invocation was delivered to Mr. Ted Crosby of the Rockville Civitans.

Re: City Manager's Report

City Manager Richard Robinson reported the following

1. The carnival sponsored by the Montgomery Boys and Girls Club has gone well to date. This is the first carnival to be held in many years. All are encourage to attend and help raise funds for the Club.

2. Staff met with Henry Mitchum of the Justice Department regarding the concerns of discrimination. Mr. Mitchum advised me that the Department will be discontinuing its work in Rockville for the time being. The Department may be returning in the future, however, at the present time, no basis for its services was found.

3. The Rockville Summer Youth Employment Program was started this week. The program employs 95 City youth between the ages of 14 and 18. The program will last through August 14th.

4. A series of park dedications will be held this Saturday, June 27th. A schedule of events will be provided to the Mayor and Council.

5. All are reminded of the City's July Fourth celebration to be held. The ceremonies will begin at 5:30 p.m. at Richard Montgomery High School. The rain date for the activities has been scheduled for July 5th.

Councilman Duncan noted that the advertisement for the carnival states that it will be held through June 28, 1987, however, the use permit issued by the City has an ending date of June 27, 1987. City Attorney Paul Glasgow responded that the ordinance states that the permit is valid for 15 days, although the permit issued is for 11 days. He suggested that the time period can be extended by the Mayor and Council through a motion, and suggested that it be brought up under New Business.

Councilman Hartogensis asked if there have been any complaints of incidents involving the carnival. City Manager Robinson reported that the only complaint that he is aware of is about a lack of parking.

Mayor Van Grack noted that this year's Summer Youth Employment Program is larger than in past years. It is good to see an expansion of the program.

Re: Mayor's Report

Mayor Van Grack reported the following:

1. Mayor Van Grack wished all members of Council a Happy Father's Day.
2. The Mayor took part in a program for the American Council for Young Political Leaders. The conference was on Foreign Policy and was very informative.
3. The Maryland Municipal League held its annual conference recently. At the conference, the Mayor participated in a program on strengthening Council-staff relations. It was interesting to note that the programs discussed by the panelists

are all things that are currently being done in Rockville, such as a citizen survey and annual seminar between Council and staff.

4. Last week John and Marilyn Freeland hosted a dinner with former Mayors Dickran and Viola Hovsepien, William and Mrs. Hanna, Dr. Nolte from Pinneberg and Mayor Van Grack and his wife. Those attending the dinner planned for the exchange of the 30th anniversary celebration of the Sister City with Pinneberg.

Re: Council's Report

Members of the Council reported the following:

1. Councilman Hartogensis noted a session held at the Maryland Municipal League in which Acting Assistant to the City Manager Donald Vandrey presented the City's "Rockville Says No" drug prevention program. Other officials attending the panel took note of what is being done in Rockville.

2. Councilman Duncan extended congratulations to Libby Tolbert, the Maryland Municipal League's newly elected president for the upcoming year.

Re: Proclamation - Community
Theatre Week

Proclamation No. 16-87

There being no objection from the Council, Mayor Van Grack proceeded to issue Proclamation No. 16-87, the full text of which can be found in Proclamation File No. 2, proclaiming the week of July 11 through July 18 as Community Theatre Week. Mayor Van Grack read the proclamation in which it was urged that all citizens participate in and support the efforts of the theatre by attending one or more of the productions at the F. Scott Fitzgerald Theatre. Mr. John Moser of the Rockville Little Theatre was present to receive the proclamation.

Re: Presentations

The Mayor and Council presented certificates of Outstanding Achievement to twenty-eight students of Rockville High School who participated and won its fifth

national championship in the nationwide Knowledge Master Open. The following students were recognized for their participation in this event:

Danny Unger	Zayd Eldadah	Jimmy Head	Greg Nerenberg
Bill Fagan	Garth Zeglin	Linda Shearer	Paul Caron
Judy Rosenberg	Jeanne Lyons	Amy Mahan	Jason Kahn
Jane Nguyen	Elaine Kasper	Mike Ward	Billy Reed
Ronn Daniel	Laura Maglorr	Nina Copaken	Sarah Avery
Pater Kim	Andy Plotkin	Jeff Hopkins	Ellen Kaplan
Gita Kumar	Aeric Alexander	Joy-Ann Mendelsohn	
Meredith Gilston			

The team was prepared by English teacher Kevin Keegan.

The Mayor and Council congratulated the students for their accomplishments.

Re: Citizen's Forum

1. Delegate Jennie Forehand, 712 Smallwood Road, spoke to the Mayor and Council regarding the Shady Grove Road incinerator. She stated that apparently there are three members of the County Council thinking of changing their minds and supporting the incinerator. She suggested that the City contact Councilmembers Hanna, Subin, and Crenca regarding the situation.

Councilman Duncan noted that the Council had a worksession on the issue and that while Councilman Potter was not present, he is the swing vote. It is his understanding that County Executive Kramer is pushing the County Council to support his position on Dickerson.

Mayor Van Grack noted that the Mayor and Council took a strong position on the incinerator and stated that the City will send another statement to the County regarding its position. Councilman Duncan also encouraged members of the Mayor and Council to telephone the County Council.

2. Jerome Flemming, Lincoln Park Civic Association, noted that Clarence "Pint" Israel passed away this Spring and suggested that the name of the Lincoln Park Community Center be changed to the Clarence "Pint" Israel Community Center in honor of his work with the City's youth. Mayor Van Grack noted that the Mayor and Council and staff have been discussing ways to honor Mr. Israel. The City is considering naming its upcoming holiday basketball tournament after him, and will consider renaming the community center. Councilman Hartogensis asked for a staff recommendation on the proposal.

Mr. Flemming advised those present that this Saturday is Lincoln Park Community Day. Clarence Israel will be honored during the day.

3. John Tyner, Chairman, Cultural Arts Commission, introduced Francoise Yohalem, the City's Art in Public Places consultant. She provided more information on the process used for the selection of the pieces to be approved by the Mayor and Council at tonight's meeting, including the names of those who served on the selection committee.

Re: Consent Agenda

At the request of Council, Items 5 (a) and (b) were removed from the consent agenda.

Re: Approval of Acquisition of
Easement, John J. and
Kathleen Hackett

The office of Community Development has completed negotiations with Mr. and Mrs. John J. Hackett in regards to the acquisition of an easement for a sanitary sewer through a portion of their property at 1116 Churchview Place in Orchard Ridge.

The City has been planning to relocate the sanitary sewer that serves the Lutheran Church of the Cross on Falls Road. The acquisition of the Hackett easement is being funded through Project Number 7A45 in connection with the State

Highway Administration's widening of I-270 and the improvement of the Falls Road Interchange. The existing sewer service must be relocated through the side yard of the Hackett property to a connection on Churchview Place.

The easement the City wishes to acquire is located parallel to the southerly lot line of the Hackett property containing an area of 1567.60 square feet. The City is also acquiring a temporary construction easement containing an area of 1341.87 square feet. An engineer's drawing showing the location of the easement areas is attached for your reference.

The purchase price of the easement is \$1,700.00. This amount is considered to be fair to the City and the property owners for the acquisition of an easement of this type. Staff appraisal was undertaken to determine an equitable purchase price. The attached document has been reviewed by the Office of the City Attorney as to form and legality.

Staff recommends that the Mayor and Council approve the acquisition of the "Grant of Sanitary Sewer Easement and Right-Of-Way and Temporary Construction Easement to the Mayor and Council of Rockville, Maryland from Mr. and Mrs. John J. Hackett.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Aquisition of Easement, John J. and Kathleen Hackett, was approved by the Mayor and Council.

Re: Recommendation and Award for
Art in Public Places

On February 7, the artist nomination committee for Priority #2 and #3 sites visited Broome Athletic Park, Gude Drive, and Monument Park. The artist nomination consisted of John Tyner and Beverly Nelson, Cultural Arts Commission; Bert Kubli, NEA's Art In Public Places program; Jerry Clapsaddle, a George Mason University art instructor and artist; Sunny Scully, a landscape architect of Montensen, Lewis, and Scully; Minna Davison and George Karras, neighborhood representatives of Monument

Park; Laura Faich and Viola Hovsepien, neighborhood representatives of Broome Athletic Park and Bill Hickman and Jean Piccolino, neighborhood representatives of Gude Drive.

In mid-March, a "Call for Entry" was developed by Francoise Yohalem and Betty Wisda and was mailed to artists whose names appeared on the Maryland State Arts Council's Washington Sculptors', and Tri-State Sculptors' membership lists.

On April 16, the artist nomination committee viewed slides submitted by artists representing previously commissioned public art projects. The number of artists who wished to be considered at designated sites was as follows: 31 artists at Broome Athletic Park; 36 artists at Gude Drive; and 40 artists at Monument Park. The committee selected three semifinalists for each site.

On June 2, the semifinalists presented their site specific proposals to the committee. The committee discussed the proposals and made the following recommendations to the Cultural Arts Commission:

1. Nizette Brennan be awarded the \$25,000 commission for her proposal of Monument Park.
2. Robert Adzema (Broome Athletic Park) and Barry Tinsley (Gude Drive) will meet with a Cultural Arts Commission member, neighborhood representatives, and staff to explore the artist's preliminary concept on June 19 and 20. A recommendation to award the commissions to Robert Adzema and Barry Tinsley will depend on the outcome of the meetings.

The Commission agreed unanimously to the artist nomination committee's recommendation.

On motion of Councilman Duncan, duly seconded and unanimously passed, the recommendation and award for Art in Public Places, was approved by the Mayor and Council.

Re: Approval of Recommended
Sediment Control Permit Fee
Adjustment

The City's Sediment Control Program, which has been mandated by State law, began about ten year ago when the Mayor and Council adopted its first sediment control ordinance. The ordinance was amended in January 1986 to bring it into conformance with updated and revised State Water Resources Administration requirements.

The ordinance sets forth two areas of responsibility and both are supervised by this department. One, "Sediment Control", is for the purpose of controlling earth erosion during construction of public and private facilities. It covers temporary construction measures which are removed upon completion of the facility. This could include something as small as a swimming pool or an addition to an existing home; or it could be as large as an entire residential subdivision, such as Orchard Ridge. The second area covered is "Storm Water Management". This program provides for permanent facilities to control increased water run-off from newly created impervious areas, such as buildings, parking lots, streets, etc. This can be accomplished through developer construction of on-site facilities, either underground or surface ponds. But it also includes administration of the waiver program under which the developer makes a monetary contribution and the City then assumes the responsibility for providing a remote, regional type storm water management facility, which includes site acquisition, design, construction and maintenance. This latter approach has been considered most effective in terms of both initial installation and long range maintenance costs and also provides better protection for the City's stream valleys.

There are three distinct and separate fee structures which may be imposed on developers under the ordinance. The one under consideration deals only with the

Sediment Control facilities required during construction. The other two deal with permanent storm water management facilities.

In 1978, the Mayor and Council adopted Resolution 2-78, establishing a permit fee structure to cover the City's costs for plan review, permit administration and field inspection for Sediment Control facilities. The amount of the fee is based on a flat rate multiplied by the acreage of the disturbed area, with a minimum fee of \$30,000. This fee is inadequate to cover the costs of administering the program, which has increased in importance and responsibilities over recent years due to the State's emphasis on cleaning up the Chesapeake Bay. In addition, inflation has increased operating substantially since 1978.

Staff has conducted an investigation with the objective of reducing program operating costs and increasing fees to cover the full program cost. The sediment control regulations divide the permitting process into three categories: (1) minor land disturbing activities: (2) Significant land disturbing activities and (3) Major land disturbing activities. To reduce costs we intend to eliminate permits and inspections except by complaint, for most "minor land disturbing activities". At the time the applicant applies for a building permit we will explain the sediment control requirements. In addition, we will ask the License and Inspection Department to check for adequacy of sediment control measures during their visits for regular building inspections, and to advise us if there are violations. This will save about \$1,000 per annum. Beyond this there is little we are able to do to reduce operating costs. Engineering review of proposed facilities and proper sediment control inspection is an intensive undertaking. Whether development work is dormant or active, erosion continues, requiring frequent site inspection and permittee follow-up for corrective measures. Also, a relatively new requirement

is that periodic reports are to be filed with the State Water Resources Administration (WRA). In addition, the State WRA monitors our activities to ensure the adequacy of the program.

Our investigation indicates that the program costs for FY 87 will approximate \$35,000, yet, under the present fee structure, we only anticipate an income of \$5,000. This deficit presently is made up from general funds. Since this program is mandated by State Law and does not specifically benefit the general taxpayer, it should be self-supporting. The current fee is based on a (\$30.00 minimum) rate structure which begins at \$0.003 per sq. ft. and decreases incrementally, inversely with the size of the disturbed area, to \$0.000075 (or \$3.26 per acre) for areas exceeding 26,136,000 sq. ft. (600 acres). This is an extremely low fee considering our actual costs. It is recommended that an increase of sufficient magnitude to cover the entire cost of the program be instituted.

The following revised two-part fee structure is recommended:

A new aspect of the proposed fee structure is the inclusion of a plan review fee, to be paid at the time plans are filed. This is needed because, occasionally, plans are filed, reviewed by staff and the developer fails to proceed or decides to change concept which requires a complete re-review. Therefore, in spite of expended City review time, no fee is collect to cover those costs.

(A) Charge for Sediment Control Plan/Permit Review:

Minimum \$50.00 charge for permit review covering up to 5,000 sq. ft. of disturbed area.

For areas larger than 5,000 sq. ft. the S/C Ordinance, Chapter 17 requires that computation and plans be prepared by the developer, submitted to, reviewed and approved by the City. The fee for plan review is proposed at \$90.00 for disturbed areas up to one acre and \$75.00 per acre or fraction thereon in excess of one acre, i.e., the charge for a three acre parcel would be \$240.

(B) Charge for Inspection/Permit:

Minimum \$50.00 charge for permit covering inspection of actual disturbed areas up to 5,000 sq. ft.

All disturbed areas in excess of 5,000 sq. ft. shall be charged at the rate of one cent (\$.01) per square foot, i.e. the charge for a three acre parcel would be \$1,307.00.

The projected annual income based on this fee schedule is \$34,000, which in conjunction with the \$1,000 cost savings will fund the entire projected \$35,000 program costs for FY 88.

The Sediment Control and Storm Water Management Ordinance, Chapter 17 of the Laws of Rockville, provides under Section 2-202 that "Permit Fees shall be set by resolution of the Mayor and Council".

The City Attorney's office prepared a proposed resolution setting forth the revised fees for sediment control permits, for action by the Mayor and Council. This resolution includes, for consolidation purposes, the Storm Water Management permit fee, which has not been changed. It is recommended that the Fee Table as adopted under Resolution 2-78 be voided and the new schedules be adopted for immediate implementation.

In response to a question from Councilman Coyle, Director of Public Works, Robert Goodin, advised the Mayor and Council that staff will be able to monitor the project.

On motion of Councilman Abrams, duly seconded, the Sediment Control Permit Fee Adjustment was approved unanimously.

Re: Approval of Sale of Property
to Mr. and Mrs. Alfred J.
Sklarew

An "Offer of Agreement" has been made by Mr. and Mrs. Alfred J. Sklarew to purchase a tract of City owned property adjacent to their residence at 2306

McCormick Drive. The property that the Sklarew's wish to purchase contains 2256.66 square feet.

The City acquired the property in July of 1983 from the Dennis Rourke Corporation. The land was deeded to the City as part of the development process for the Flint Ledge Estate Subdivision. The property was originally planned to be part of a connector path network to allow residents from Rockshire to have pedestrian access to Glenora Park. It is the understanding that the connector path concept in the Rockshire development received severe criticism and that the Mayor and Council decided not to put in a paved path. The Recreation and Parks Department has recommended that it would be in everyone's best interest not to pursue the planning concept of the connector path.

The Department of Community Development conducted an administrative review to determine the staff position in this matter. As a result, the various City departments have recommended that the property be sold to Mr. and Mrs. Sklarew. The Planning Commission, on the other hand, has recommended against disposing of the property, stating that the parkland should be retained for future use. The City Attorney has recommended that the matter be placed upon an agenda of the Mayor and Council for final action.

As part of the administrative review process, a letter was sent to ten residences surrounding 2306 McCormick Drive as well as four nearby homeowners associations. The purpose of the letter was to seek comments as to the proposed disposition. Records indicate that there were no unfavorable comments from the community.

The "Offer of Agreement" provides for a sale price of \$1,100 which is an amount considered to be a fair market value for property of this nature. Staff recommends that the Mayor and Council approve the disposition of the 2256.66 square foot tract of land to Mr. and Mrs. Alfred J. Sklarew.

In response to questions from Councilman Hartogensis, Director of Planning Rick Kuckkahn noted that the Planning Commission has recommended against using the land in question as parkland. City Manager Robinson stated that the staff believes that the decision of whether or not to sell is one of policy that should come before the Mayor and Council. Richard Arkin, Chairman of the Planning Commission, advised the Mayor and Council that there is no compelling reason to sell the property to the Sklarews, and that it is not good public policy to sell off parkland. In addition, he believes there is the potential for using the land as a pathway in the future.

City Manager Robinson noted, however, that the neighbors did not want a path developed, and Councilman Duncan confirmed that previous Mayor and Council's had decided not to build the path. City Manager Robinson also noted that there are other uses for the path.

In response to a question from Councilman Coyle regarding what is to be done about the path planned between lots 9 and 10, City Manager Robinson suggested that a decision be deferred to the next meeting to allow staff to provide the Mayor and Council with some additional information. The Mayor and Council concurred.

On motion of Councilman Hartogensis, duly seconded, the sale of property to Mr. and Mrs. Alfred J. Sklarew, was unanimously approved.

Re: Public Hearing, To amend
Section 1-102 of Chapter 1
of the "Laws of Rockville"
so as to permit Montgomery
County legislation
regulating smoking in eating
and drinking establishments

The Mayor and Council conducted a public hearing on the amendment of Section 1-102 of Chapter 1 of the "Laws of Rockville" so as to permit Montgomery County legislation regulating smoking in eating and drinking establishments. The Mayor and Council heard those persons as can be found in the official stenographic

transcript. There being no other person wishing to be heard, the Mayor declared the hearing closed and the record to be held open for 30 days.

Re: Approval of Minutes

On motion of Councilman Hartogensis, duly seconded, with Councilman Duncan abstaining due to his absence from the meeting, the minutes of Meeting No. 44-86, December 8, 1986, were approved as written.

Re: FYI/Correspondence

1. Letter from Mr. Charles Burroughs.
2. Letter from Mr. Barry E. Gordon.

Re: New Business

1. Councilman Hartogensis asked about the letter from Barry Gordon regarding an individuals ability to place a mailbox in the public right-of-way. It was the consensus of the Mayor and Council, with disagreement from Councilman Hartogensis, that as long as Mr. Gordon is willing to abide by provision in the letter to him from the Director of Public Works, particularly conditions 1, 2 and 3, he can place the mailbox in the right-of-way.

2. On motion from Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved a one-day extension on the permit for the carnival being run by the Montgomery County Boys and Girls Club.

3. On a motion from Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council approved the appointment of Helen Heneghan as interim City Clerk beginning August 1, 1987, and running through the end of calendar year 1987. City Attorney Glasgow noted that the details of Mrs. Heneghan's appointment would be worked out in Executive Session.

4. Councilman Abrams asked the Mayor and Council to consider at this evening's meeting, Item 2 from the City Manager's Various Items memorandum of June 19, 1987, regarding the Northeast Mid-Boundary Task Force report. Specifically, he

asked that the Mayor and Council go on record of expressing its concerns over the report and asked that staff provide comments on alternative proposals for Wootton High School.

Terri Auchter provided background information to the Mayor and Council and advised them that the superintendent expects to comment on the report by July 1, 1987. Mayor Van Grack asked that a letter in support of the minority report be prepared. Councilman Coyle noted that the letter should include a statement of the Mayor and Council's support for the minority report and for providing more students. Councilman Duncan advised the Mayor and Council that it might be faced again with the issue of boundary changes.

5. Councilman Coyle asked for a staff report on how the truck parking ordinance is working out. He also asked that the issue of trailers and vans be considered shortly by the Mayor and Council. City Manager Robinson noted that a worksession would be scheduled.

6. Councilman Coyle asked for information on the property at Hurly and Route 28, with an eye towards the City purchasing the property for a park.

7. At the request of the staff, the following was brought up under New Business:

The preliminary proposals for Property Loss and Boiler/Machinery insurance coverages from both Marsh and McClellan and the Self Insurance Fund have been received. These two proposals are summarized below:

COSTS: Although the written proposal from the Self Insurance Fund does not contain a complete breakdown of all costs, figures have been obtained from the Montgomery County Finance Department. The total for property loss coverage under the Fund will be approximately \$26,418 per year. This compares with the Marsh and McClellan total of \$52,252.

For the Boiler/Machinery coverage, the cost under the fund is higher due to the fact that the County is in the middle of the policy year for this coverage and therefore does not have any negotiating power on the rate. The rate at present would be \$4,925. This compares to \$3,921 for the Marsh and McClellan quote. (At the end of the present policy period in November, Montgomery County expects our cost for this coverage to go down to approximately \$2,200).

The totals for both coverages are \$56,173 for Marsh and McClelland and \$31,343 for the Self Insurance Fund. The total difference for all coverage is \$24,830 in favor of the Fund.

To fully evaluate these proposals, it must be realized that there are substantial differences in some of the limits, deductibles, etc., that are to be provided.

LIMITS: Limits for coverages for buildings under the Marsh and McClellan proposal were determined by adding values of all City properties. This totals \$27,628,097. Under the Fund's proposal, coverage is limited to \$20,000,000 per occurrence, although the Fund does have excess coverage of \$60,000,000 that could be applied if necessary. The Marsh and McClellan proposal also carries \$6,552,862 limits on contents, whereas the Fund includes this within the \$20,000,000 figure.

Limits under the Crime coverage (for thefts of money and Securities) are \$3,000 for the Marsh and McClellan coverage and \$5,000 for the Fund.

All other limits, i.e. contractor's equipment, are the same for both proposals.

For the Boiler coverages, the limits for the Marsh and McClellan coverage is \$1,000,000 and for the Fund \$5,000,000.

DEDUCTIBLES: There is a substantial difference in the deductibles for both proposals. For Buildings and Contents, the Marsh and McClellan proposal has a \$5,000 deductible for each per occurrence. For Equipment coverage, the Marsh and

McClellan proposal has a \$250 plus 1% deductible. For the Crime coverage, there is a \$250 deductible.

For the Fund's proposal all deductibles are at \$1,000, except for the Crime coverage where there is no deductible. However, it should be pointed out that under the Fund's proposal, the Fund itself "insures" all amounts up to \$250,000. This means that we would be self-insured up to that amount and that the commercial coverage has a \$250,000 deductible.

COVERAGE: The coverage for Property for both proposals is essentially the same. Both cover all risks and are based on replacement costs. The main difference is in the Boiler coverage where the Marsh and McClellan proposal only covers some ten locations while the Fund's proposal covers all locations.

RECOMMENDATION: There are some distinct advantages to both proposals. The Self Insurance Fund's proposal is not only less expensive, but has the advantage of placing all insurance administration under one program. However, to do this we would be accepting increased risks since we would, in essence, be self-insured up to \$250,000 (It is important to realize that this \$250,000 amount is per occurrence). Also, the Marsh and McClellan proposal does provide for lower deductibles for equipment losses where most losses tend to be smaller.

However, in view of our past low loss experience, the advantages to the Fund's proposal outway the disadvantages.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Property and Boiler/Machinery Insurance Proposals were approved by the Mayor and Council.

8. Councilman Duncan raised the issue of the storm water retention pond at College Gardens and the maintenance involved. Councilman Abrams asked that information which has been prepared by staff be sent to the Civic Association for comment.

9. Mayor Van Grack raised the issue of a Town Center Advisory Committee. Councilman Abrams asked that consideration of the issue be scheduled for the meeting on July 13th or July 27th.

10. Mayor Van Grack noted that the hearing before Montgomery County on Fortune Parc has been delayed. Given this, he suggested that the City need to expedite the completion of the MEL agreement with the County. City Manager Robinson agreed and suggested that the Mayor and Council discuss the matter in executive session.

11. Councilman Abrams asked for a status report on the issue of traffic loads for industrial areas off of Gude Drive.

Re: Executive Session

There being no further business to come before the Mayor and Council in General Session, the meeting was closed to convene in executive session for the consideration of litigation, personnel matters and to consult with counsel.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 12:07 p.m. to convene again in general session on Monay, July 13, 1987, at 8:00 p.m. or at the call of the Mayor.